

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**LARRY W. MCKENZIE**

**PETITIONER**

**V.**

**CAUSE NO. 3:15-CV-10-CWR-FKB**

**FRANKLIN D. BREWER**

**RESPONDENT**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge F. Keith Ball, which was entered on January 4, 2016. Docket No. 25. The Report and Recommendation clearly notified the parties that failure to file written objections to the findings and recommendations contained therein within 14 days after service would bar further appeal in accordance with 28 U.S.C. § 636. *Id.*

This Court, finding that there has been no submission of written objections by any party, hereby adopts said Report and Recommendation as the Order of this Court. Accordingly, the defendant's motion to dismiss [Docket No. 19] is granted and this case is dismissed with prejudice for failure to exhaust state court remedies.

A separate Final Judgment will issue this day. No certificate of appealability will issue.

**SO ORDERED**, this the 5th day of February, 2016.

s/ Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE